

sented and implied that the article contained 8 grains of iron and ammonium citrate and 4 grains of calcium hypophosphite per fluid ounce; that it would assist the body in the formation of red blood corpuscles; that it would build weight and strength; and that it would be efficacious in the cure, mitigation, treatment, and prevention of lost appetite, indigestion, after-eating pains, gas, bloating, belching, nausea, sick headache, heartburn, constipation, biliousness, spots before the eyes, backache, loss of energy and vitality, too frequent kidney action, arm and leg pains, bad blood, bad color, boils, pimples, lost weight, stiff joints, sore muscles, rheumatism, nervousness, a tired-out feeling, colds, infection, brittle finger nails, despondency, and irritability. The article did not contain the declared proportions of iron and ammonium citrate and calcium hypophosphite; and it would not be effective to produce the benefits stated and implied.

The article was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

**DISPOSITION:** May 21, 1946. No claimant having appeared, judgment of condemnation was entered and the product and circulars were ordered destroyed.

**1936. Misbranding of Cal-O-Dine. U. S. v. 49 Bottles of Cal-O-Dine, and 375 Leaflets. Default decree of condemnation and destruction. (F. D. C. No. 18713. Sample No. 27869-H.)**

**LIBEL FILED:** January 7, 1946, Western District of Washington.

**ALLEGED SHIPMENT:** From Alameda, Calif., by the Cal-O-Dine Laboratories. The product was shipped on or about August 17, 1945. The leaflets had been shipped on or about October 12, 1943.

**PRODUCT:** 49  $\frac{1}{2}$ -gallon bottles of *Cal-O-Dine* at Seattle, Wash., together with 375 leaflets entitled "The Mysterious ingredient of sea-water." Examination showed that the product consisted essentially of small proportions of calcium, iron, and iodine compounds dissolved in sea water.

**LABEL, IN PART:** (Leaflets) "The Mysterious ingredient of sea-water, which must be present in addition to the salts and minerals of sea water, has long been a subject of interest for marine biologists. The lack of this ingredient in artificial sea-water results in inability of the aquarium to support marine life. The inorganic composition of sea water is, in general terms, similar to the composition of extracellular fluids in the body. Like the body, the ocean maintains a constant osmotic, ionic and acid-base structure and a nearly constant temperature, and it uses for these purposes the same materials as those found in the body. The concentration of the minerals in sea-water is over three times that of the blood serum."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), the statements in the leaflets quoted above, when read in connection with the directions for ingestion of sea water, (bottle label) "Directions Six teaspoonfulls (one ounce) daily, 2 with each meal in water, fruit or vegetable juice. Cal-O-Dine is scientifically designed to supplement the diet with desirable amounts of three important minerals, Calcium, Iron and Iodine and when taken as directed supplies Calcium—375 milligrams 50% minimum daily requirement Iron—10 milligrams 100% minimum daily requirement Iodine—0.1 milligrams 100% minimum daily requirement Net Contents 64 Ounces Price \$10.00," were misleading since the statements and directions created the impression that the ingestion of sea water would serve some useful purpose. The ingestion of sea water would serve no useful purpose.

The article was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

**DISPOSITION:** March 25, 1946. No claimant having appeared, judgment of condemnation was entered and the product and leaflets were ordered destroyed.

**1937. Misbranding of Red Hearts Tonic. U. S. v. 4½ Dozen Bottles of Red Hearts Tonic, and 300 Envelopes. Default decree of condemnation and destruction. (F. D. C. No. 19483. Sample No. 24599-H.)**

**LIBEL FILED:** April 2, 1946, Northern District of Alabama.

**ALLEGED SHIPMENT:** On or about January 26, 1946, by the Reese Chemical Co., from Cleveland, Ohio.

**PRODUCT:** 4½ dozen bottles of *Red Hearts Tonic* at Birmingham, Ala., together with 300 envelopes entitled "If You Lack Ambition to 'Go Places and Do Things' Try Red Hearts." Examination showed that the article consisted essentially of iron sulfate with a small amount of manganese sulfate.